IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

Lala Vs. Smt. Rukma & Anr.

S.B.CR.MISC. PETITION NO.138/2005

against the order dt.29.11.2004 passed by Additional Sessions Judge (Fast Track) No.1, Bhilwara in No.Cr.Revision No.108/2004.

DATE OF ORDER :: August 23, 2006

PRESENT

HON'BLE MR.JUSTICE H.R.PANWAR

Mr.P.N.Mohanani, for the petitioner.

Mr.Dhanraj Vaishnava for Mr.Sunil Mehta, for non-petitioners.

BY THE COURT:

By the instant criminal misc. petition under section 482 Cr.P.C., the petitioner has assailed the order dt. 29.11.2004 passed by the Additional Sessions Judge (Fast Track) No.1, Bhilwara (for short 'the revisional court' hereinafter) whreby the revisional court while maintaining the order passed by the Judicial Magistrate (West), Bhilwara (for short 'the trial court'

hereinafter), released the petitioner on furnishing the bail bonds for a limited period enabling him to arrange and deposit the amount of maintenance awarded by the trial court.

On careful perusal of the orders passed by the trial court as well as by the revisional court, I find no error, illegality or perversity in the order impugned. It cannot be said that the order impugned would result in serious miscarriage of justice or abuse of process of any court. The petitioner is under obligation to pay the maintenance and if he fails to pay the maintenance, then the consequential order passed by the trial court cannot be said to be faulted.

The petition has no force and the same is, therefore, dismissed. Ad interim stay order dt. 14.2.2005 is vacated. The stay petition also stands dismissed.

[H.R.PANWAR],J.

m.asif/-